



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/784,889

Confirmation No.: 9983

Applicant(s): Wade Martin POTEET et al.

Filed: February 24, 2004

Title: SYSTEM AND METHODS FOR DETECTION AND IDENTIFICATION OF CHEMICAL SUBSTANCES

TC/A.U.: 2884

Examiner: Mindy D. Vu

Docket No.: 86581-0004 CIP

Customer No.: 24633

## MAIL STOP: RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application.

This Information Disclosure Statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The USPTO has waived the requirements under 37 CFR 1.98 (a)(2)(I) to submit copies of U.S. patent and U.S. patent applications, publications when citing and submitting an Information Disclosure Statement in a patent application filed after June 30, 2003, and International Application that have entered the National Stage under 37 USC 371 after June 30, 2003.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449. The references contained in this Information Disclosure Statement were, in some instances, first cited

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in the attached International Search Reports dated April 10, 2003, April 23, 2004, and February 8, 2005, in related International Application Nos. PCT/US2003/00259, PCT/US2003/37292, and PCT/US2004/005320.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: July 14, 2006

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FORM PTO-1499 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)		ATTY. DOCKET NO 86581-0004 CIP		APPLICATION NO. Not Yet Assigned
		APPLICANT Wade Martin POTEET et al.		
		FILING DATE July 14, 2006		GROUP Not Yet Assigned

## U.S. PATENT DOCUMENTS

EXAMINER		PATENT	ISSUE				FILING DATE IF APPROPRIATE
		NUMBER	DATE	PATENTEE	CLASS	SUBCLASS	
	A1	4,897,551	01/30/1990	Gersh et al	250	461.1	
	A2	4,977,325	12/11/1990	Bowen et al	250	461.2	
	A3	5,157,261	10/20/1992	Grey et al	250	458.1	
	A4	5,281,826	01/25/1994	Ivancic et al	250	461.1	
	A5	5,306,642	04/26/1994	Reagen et al	436	106	
	A6	5,760,898	06/02/1998	Haley et al	356	318	
	A7	5,912,466	06/15/1999	Funsten et al	250	372	
	A8	6,178,227 B1	1/23/2001	Sato	378	117	
	A9	6,501,825 B2	12/31/2002	Kaiser et al.	378	45	
	A10	6,519,315 B2	2/11/2003	Sommer, Jr. et al.	378	45	
	A11	6,459,767 B1	10/1/2002	Boyer	378	121	

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT	
							Yes	No
	A12	WO 02/16917 A1	02/28/2002	WIPO				
	A13	EP 0806652 A3	04/22/1998	Europe				
	A14	EP 0806652 A2	11/12/1997	Europe				
	A15	EP 1220165 A3	03/10/2004	Europe				
	A16	EP 1220165 A2	07/03/2002	Europe				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	A17	International Search Report for PCT/US 03/37292 dated 04/23/2004
	A18	International Search Report for PCT/US2004/005320 dated February 8, 2005
	A19	International Search Report for PCT/US2003/00259 dated April 10, 2003

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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FORM PTO-1440 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)		ATTY. DOCKET NO 86581-0004 CIP		APPLICATION NO.
				Not Yet Assigned
		APPLICANT Wade Martin POTEET et al.		
FILING DATE July 14, 2006		GROUP	Not Yet Assigned	

**U.S. PATENT DOCUMENTS**

EXAMINER		PATENT	ISSUE				FILING DATE IF
		NUMBER	DATE		PATENTEE	CLASS	APPROPRIATE
	A20	6,490,030 B1	12/03/2002	Gill et al.	356	71	
	A21	5,424,959	06/13/1995	Reyes et al.	364	498	
	A22	6,903,817 B2	06/07/2005	Sarger et al.	356	318	
	A23	6,771,369 B2	08/03/2004	Rzasa et al.	356	326	
	A24	7,006,214 B2	02/28/2006	Rzasa et al.	356	300	
	A25	6,505,059 B1	01/07/2003	Kollias et al.	600	316	
	A26	6,868,344 B1	03/15/2005	Nelson	702	31	
	A27	6,266,390	07/24/2001	Sommer, Jr. et al.	378	45	
	A28	2005/0134836 A1	06/23/2005	Paldus et al.	356	073	
	A29	2005/0248758 A1	11/10/2005	Carron et al.	356	301	
	A30	6,263,291 B1	07/17/2001	Shakespeare et al.	702	85	
	A31	2004/0007665 A1	01/15/2004	DiFoggio et al.	250	269.1	
	A32	2004/0085535	05/06/2004	Hammer et al.	356	330	
	A33	2004/0063214	04/01/2004	Berlin et al.	436	94	
	A34	2003/0160231 A1	08/08/2003	Cole et al.	257	22	
	A35	5,937,026	08/10/1999	Satoh	378	44	

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT	
							Yes	No
	A36	WO 02/097407 A1	12/05/2002	PCT				
	A37	GB 2 365 966 A	02/27/2002	United Kingdom				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

A38		
EXAMINER		DATE CONSIDERED

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